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CONFIDENTIAL

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→ Timerman file

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FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES NIACT IMMEDIATE 597
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C O N F I D E N T I A L STATE 249264

TO	ACT	INF	TO	ACT	INF
AMB			ADM		
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LABOR			LEGAT		
SCI			DEA		
DAO			FAS		
MILGP			FAA		
			CHRON		
			RF		

E.O. 12065: GDS - 9/21/85 (VAKY, VIRON P.)

TAGS: SHUM, AR

SUBJECT: RELEASE AND PROTECTION FOR TIMERMAN

REF: BUENOS AIRES 7849

1. (C - ENTIRE TEXT)

2. WE NOTE EMBASSY'S ASSUMPTION THAT ARGENTINE JUNTA'S MEETINGS MONDAY AND TUESDAY WILL DISCUSS TIMERMAN CASE AND ARE HOPEFUL THAT SUPREME COURT'S DECISION MIGHT TIP BALANCE IN FAVOR OF DECISION TO RELEASE TIMERMAN AND PERMIT HIM TO LEAVE THE COUNTRY.

3. WHILE WE RECOGNIZE THAT AMBASSADOR HAS RAISED TIMERMAN'S CASE NUMEROUS TIMES WITH GOA (MOST RECENTLY WITH VIOLA AND FOREIGN MINISTRY) UNLESS EMBASSY SEES OBJECTION WE SUGGEST THAT AMBASSADOR SEEK APPOINTMENT AS SOON AS POSSIBLE AT AS HIGH A LEVEL AS YOU CONSIDER APPROPRIATE AND URGE TIMERMAN'S RELEASE AND PERMISSION TO LEAVE THE COUNTRY. WE RECOGNIZE THE AMBASSADOR HAS TENTATIVE APPOINTMENT TO SEE GENERAL VIOLA ON WEDNESDAY, BUT NOTE THAT HIS MEETING WOULD OCCUR AFTER THE JUNTA HAS CONSIDERED THE ISSUE.

4. IN THIS CALL, AMBASSADOR SHOULD ALSO EXPRESS OUR CONCERN FOR TIMERMAN'S PERSONAL SAFETY SHOULD THE MODALITIES OF HIS RELEASE NOT INCLUDE PROVISION FOR HIS PROTECTION DURING THE PERIOD PRIOR TO HIS DEPARTURE FROM THE COUNTRY (ASSUMING THAT HE WOULD WISH TO DO SO). WE ARE COGNIZANT OF YOUR PARAGRAPH 4 WHICH GIVES TIMERMAN'S ESTIMATE THAT, IF GRANTED A PASSPORT, THERE WOULD BE NO PROBLEM. GOA APPARENTLY MAY HAVE CONCERNS OF ITS OWN ABOUT TIMERMAN'S SAFETY.

5 COMMENT: WE WOULD APPRECIATE SOONEST FURTHER DETAILS ON THE SUPREME COURT'S DECISION. WITH THIS DECISION, WHAT IS THE PRESENT LEGAL AND PRACTICAL STATUS OF TIMERMAN'S CASE? HAS TIMERMAN NOW BEEN FULLY ABSOLVED BY THE ARGENTINE JUDICIAL SYSTEM? I THERE STILL SOME LEGAL BASIS ON WHICH HE COULD BE HELD? WHAT IN THE EMBASSY'S VIEW IS THE PRESENT STATE OF PLAY WITHIN THE ARGENTINE REGIME? PLEASE ADVISE.

6. INSTRUCTIONS CONCERNING POSSIBLE ASYLUM FOLLOW SEPTEL. VANCE
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